

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

VIRGIL GRIFFITH,

Judgment Debtor,

and

FIDELITY BROKERAGE SERVICES, LLC,

Third-Party Respondent.

No. 20 CR 015 (PKC)

TURNOVER ORDER

WHEREAS the Court entered judgment against VIRGIL GRIFFITH on April 12, 2022 and ordered him to pay a \$100 special assessment and \$100,000 fine;

WHEREAS Griffith has made payments totaling \$125, and his outstanding balance is \$100,753.55, including interest accrued at the rate of 1.96% through October 13, 2022;

WHEREAS, pursuant to 18 U.S.C. § 3613, upon entry of judgment, a lien arose on all of Griffith's property and rights to property notwithstanding any other federal law, and the United States may use any federal or state procedure to enforce the judgment;

WHEREAS, pursuant to Federal Rule of Civil Procedure 69(a)(1) and N.Y. CPLR § 5222, the United States issued and served restraining notices on Fidelity Management Trust Co., which answered as and for Fidelity Brokerage Services, LLC ("Fidelity") for substantial nonexempt property belonging or due to Griffith;

WHEREAS Fidelity answered that it holds approximately \$67,818, subject to market fluctuation, in Griffith's individual brokerage account number ending in XX90;

WHEREAS the United States served Griffith with the restraining notice and its motion for turnover order, including the exclusive and limited exemptions available to criminal judgment debtors under 18 U.S.C. § 3613(a), and he does not oppose turnover of the restrained funds;

WHEREAS Griffith has a substantial nonexempt interest in the funds held by Fidelity, to which the criminal judgment lien has attached, and therefore the funds are subject to turnover;

IT IS HEREBY ORDERED that FIDELITY BROKERAGE SERVICES, LLC shall liquidate securities as needed to pay to the Clerk of Court within 15 days from the date of this order the nonexempt property it has in its possession, custody, or control belonging to or due the defendant-judgment debtor, VIRGIL GRIFFITH, namely 100% of the full liquidated value of his individual brokerage account number ending in XX90.

Payments should be made by cashier's check or certified funds to "Clerk of Court" with "No. 20 CR 015" written on the face of each payment and mailed to:

United States District Court
500 Pearl Street, Room 120
New York, New York 10007
Attn: Cashier

Dated: New York, New York
October 14, 2022



P. Kevin Castel
United States District Judge